

## **APPENDIX 1**

Original Assignee Consent  
Statement 3.73(b) filed on January 25, 2001  
Assignment and Notice of Recordation  
Updated Assignee Consent  
Updated Statement 3.73(b)  
Updated Power of Attorney



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claudio BOFFITO et al

Serial No. 08/278,129

Filed: July 21, 1994

For: THERMALLY INSULATING  
JACKET AND RELATED  
PROCESS (AS AMENDED)

) Group Art Unit: 3404

) Examiner: R. Capossela

## ASSENT TO REISSUE OF UNITED STATES LETTERS PATENT

SASE GETTERS S.p.A., the assignee of the entire interest of U.S. Patent No. 5,408,832 entitled "Thermally Insulating Jacket and Related Process", which original Letters Patent was granted on April 25, 1995, through the undersigned, hereby gives its written assent to reissue of the patent.

Date: July 1-1996

Paolo della Porta  
Managing Director & Vice President

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Claudio BOFFITO et al.  
Application No./Patent No.: 08/675,969 Filed/Issue Date: July 5, 1996  
Entitled: THERMALLY INSULATING JACKET AND RELATE PROCESS  
SAES GETTERS S.p.A. a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 6511 Frame 0294, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X 25 January 2001  
Date

Ing. Paolo della Porta

Typed or printed name

Signature

President

Title

08 038643

10.45-581- AID  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeFORM PTO-1005  
1-91 99RECORDATION FORM COVER SHEET  
PATENTS ONLY

Tab settings ◀ ▶ ▶ ▶ ▶

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

BOFFITO, Claudio  
SCHIABEL, Antonio  
GALLITOGNOTTA, Alessandro  
MAR 29 1993Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: March 26, 1993

## 2. Name and address of receiving party(ies):

Name: SAES Getters S.p.A.

Internal Address: \_\_\_\_\_

Street Address: Via Gallarate 215

City: Milano State: Italy ZIP: I-20151

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: March 26, 1993

A. Patent Application No(s)

This is a CIP of application  
USSN 07/979 filed 11-20-92

B. Patent No(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: DAVID R. MURPHY

Internal Address: \_\_\_\_\_

Street Address: 1213 Prince Street  
Suite Q-12815

City: Alexandria State: VA ZIP: 22314

## 6. Total number of applications and patents involved: ONE

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed by check.☒ Authorized to be charged to deposit account IF check deficient

## 8. Deposit account number:

17-0010

(Attach duplicate copy of this page if paying by deposit account)

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40.00 CK

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

DAVID R. MURPHY

Name of Person Signing

David R. Murphy  
Signature

3-29-93

93353739

Total number of pages comprising cover sheet: ONE

ASSIGNMENT

WHEREAS, we, CLAUDIO BOFFITO of RHO (MI) - ITALY  
ANTONIO SCHIABEL of GARBAGNATE (MI) - ITALY,  
and ALESSANDRO GALLITOGNOTTA of RHO (MI) - ITALY, have

invented certain improvements in IMPROVED PROCESS FOR EVACUATING A  
THERMALLY INSULATING JACKET AND IN PARTICULAR THE JACKET OF A DEWAR OR OF  
ANOTHER CRYOGENIC DEVICE

for which a patent application is executed concurrently herewith;

WHEREAS S.A.E.S. GETTERS S.p.A., a company organized under  
the laws of the Italian Republic and having its principal place  
of business at Milan, Italy, is desirous of acquiring the  
entire interest in and to the invention disclosed in said appli-  
cation and in and to all patents issued or to be issued thereon;

NOW THEREFORE, to all whom it may concern, be it known  
that for and in consideration of the sum of One Dollar (\$1.00)  
to us in hand paid and other good and valuable consideration,  
the receipt of which is hereby acknowledged, we have sold,  
assigned and transferred and by these presents do sell, assign  
and transfer unto S.A.E.S. GETTERS S.p.A., our entire right,  
title and interest in and to the invention disclosed in said  
application for the territory of the United States of America  
and in the application for United States Letters Patent there-  
for, and in all and to all Letters Patent of the United States,  
issued or to be issued thereon, and in all reissues, divisions,  
continuations, and continuations-in-part thereof; and for the  
consideration aforesaid we agree to execute any and all papers  
necessary to vest in and secure to S.A.E.S. GETTERS S.p.A. the  
full and exclusive rights to the invention aforesaid, in the  
United States; and we do hereby authorize and request the  
Commissioner of Patents to issue all future patents granted on  
said application or the subject matter disclosed therein to  
S.A.E.S. GETTERS S.p.A., its legal representatives and assigns.

IN TESTIMONY WHEREOF, we have hereunto set our hands and  
affixed our seals this 26th day of March, 1993

A. L. L. L.  
Witness

E. L. L. L.  
Witness

Claudio Boffito  
Inventor

A. L. L. L.  
Inventor

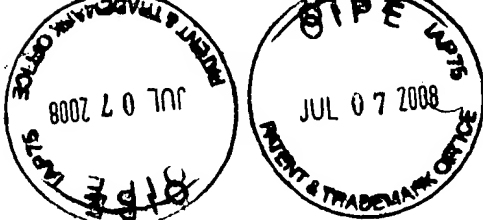
A. L. L. L.  
Inventor

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PATENT AND TRADEMARK  
OFFICE

MAR 29 1993

651  
6295  
REEL  
FRAME

Return To:  
David R. Murphy  
File Q-12815  
1213 Prince Street  
Alexandria, VA 22314-2916



PTO/SB/93 (09-07)

Approved for use through 08/31/2010. OMB 0851-0033

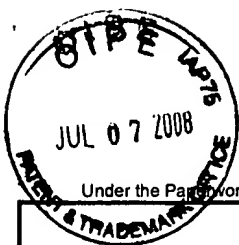
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		Docket Number (Optional)
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s)		
Patent Number	Date Patent Issued	
Title of Invention		
<p>1. <input type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p> <p>The assignee(s) owning an undivided interest in said original patent is/are _____ and the assignee(s) consents to the accompanying application for reissue.</p> <p>Name of assignee/inventor (if not assigned)</p> <p>Signature _____ Date <u>18 June 2008</u></p> <p>Typed or printed name and title of person signing for assignee (if assigned) <b>SAES Gettare S.p.A.</b> <b>IP Manager</b> <i>Massimo Palladino</i> <b>Dr. Massimo Palladino</b></p>		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the burden of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Claudio Boffito, et al.Application No./Patent No.: 08/675,969 Filed/Issue Date: July 5, 1996Entitled: THERMALLY INSULATING JACKET AND RELATED PROCESS

Saes Getters S.p.A., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 6511, Frame 0294, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Brian S. Boyer  
Signature

Brian S. Boyer  
Printed or Typed Name

Attorney and Authorized Agent  
Title

7/7/08  
Date

650-293-3365  
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke any and all previously granted power of attorney. I hereby appoint Paul L. Hickman, Reg. No., 28,516, and the attorneys and/or agents associated with Customer No. 45965, to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b). The undersigned authorizes Paul L. Hickman, and the attorneys or agents associated with Customer No. 45965 to sign statements in accordance with 37 CFR 3.73(b) on behalf of the assignee.

Please direct all communications to:

Paul L. Hickman  
Customer No. 45965

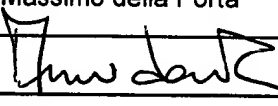
Assignee Name and Address:

SAES Getters S.p.A.  
Viale Italia, 77  
20020, Lainate (Milan)  
ITALY  
Telephone: (011) 39-02-93178-1  
Fax: (011) 39-02-93178-250

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Massimo della Porta		
Signature		Date	February 21 2006
Title	CEO	Telephone	(011) 39-02-93178-202





## **APPENDIX 2**

Original Reissue Application Declaration  
Supplemental Reissue Declaration



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICATION FOR REISSUE OF UNITED STATES LETTERS PATENT**

**DECLARATION OF SAES GETTERS S.p.A.**

I, PAOLO DELLA PORTA, being duly advised, hereby declare as follows:

I am the Managing Director and Vice President of SAES GETTERS S.p.A., the assignee of the entire interest of U.S. Patent No. 5,408,832, I have authority to act on behalf of the company respecting reissue of this patent.

On behalf of the company, I state that we have reviewed and understand the contents of the above-identified specification, including the claims thereof, as now presented.

We believe that the original, first and joint inventors of the subject matter which is claimed and for which a reissue patent is sought on an invention entitled "Thermally Insulating Jacket and Related Process" are CLAUDIO BOFFITO, ANTONIO SCHIABEL and ALESSANDRO GALLITOGNOTTA, in whose name United States Letters Patent 5,408,832 issued on April 25, 1995.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, C.F.R. § 1.56(a).

We do not know and do not believe that the claimed invention was ever known or used in the United States before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to this application, and that the same was not in public use or on sale in the United States of America more than one year prior to this or our original application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of our issued patent in any country foreign to the United

States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the application on which said patent is based.

U.S. Patent No. 5,408,832 is wholly or partially inoperative or invalid by reason of a claim for foreign priority under 35 U.S.C. §119 not having been perfected in the manner required by statute. The incident application claims priority under 35 U.S.C. §119 based on applicants' Italian Application MI92 A 1416, filed June 8, 1992. A review of the file wrapper indicates that the conditions for meeting the claim for priority under 35 U.S.C. §119 nevertheless were not met because the certified copy of applicants' Italian patent application was not filed with the Office. The payment of the issue fee in this case corresponded in time with the transfer of responsibility for this case to new U.S. counsel. It appears that the filing of the priority document was inadvertently omitted during the transfer of files between counsel, with new counsel assuming that the priority document had already been filed whereas prior counsel apparently assumed that the priority document would be filed with payment of the issue fee. This error arose without any deceptive intent on the part of the applicants. Applicants and their assignee became aware of this error only within the last month when advised by U.S. counsel that the patent had issued without the benefit of priority under §119.

This request for reissue does not seek to enlarge the scope of the claims of the original United States Letters Patent No. 5,408,832.

I hereby declare that all statements herein made of my own knowledge are true and that all statements herein made on information and belief are believed to be true; and further, that these statements were made with knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July..2, 1996

  
Paolo della Porta

Express Mail Label \_\_\_\_\_

# 22



**REISSUE APPLICATION DECLARATION BY THE INVENTORS**

HEREBY DECLARE THAT:

My residence, mailing address, and citizenship are stated next to my name in PART A hereof.

I believe I am the original, first, and joint inventor of the subject matter which is described and claimed in patent number 5,408,832, granted April 25, 1995, and for which a reissue patent is sought on the invention entitled

**THERMALLY INSULATING JACKET AND RELATED PROCESS**

the specification of which:

- ☐ is attached hereto.
- ☒ was filed on July 5, 1996 as reissue Application No. 08/675,969 and was amended on August 5, 1996, April 7, 1997, July 2, 1997, and February 7, 2001.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Applicants believe the original patent to be wholly or partially inoperative by reason of the patentees' claiming less than they had a right to claim in the patent, because all of the apparatus claims are limited to particular getter materials and particular actuations of such materials and do not affirmatively

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recite Applicants' new and nonobvious physical structure and the process by which such structures function.

I hereby claim priority benefits under 35 USC §119(a)-(d) or (f), §172, or §365(a)-(b) of any foreign or international application(s) for patent or inventor's certificate listed in PART B hereof and have also identified in PART B hereof any such foreign or international application having a filing date before that of the application of which priority is claimed.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Paul L. Hickman (Reg. No. 28,516)  
David Bogart Dort (Reg. No. 50,213)  
PERKINS COIE LLP  
101 Jefferson Drive  
Menlo Park, CA 94025-1114  
Telephone: 650-838-4300  
Facsimile: 650-838-4350

Direct all correspondence to: Paul L. Hickman

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. I understand that the execution of this document does not in itself establish an attorney-client relationship between the undersigned and Perkins Coie, LLP, or any of its attorneys.

**REISSUE APPLICATION DECLARATION BY THE INVENTORS**

**PART A: INVENTOR INFORMATION AND SIGNATURE**

Full name of FIRST inventor: Claudio BOFFITO

Citizenship: Italy Mailing Address: 20014 NERVIANO (MI) Via Diaz No. 3

Italy

Residence (if different): \_\_\_\_\_

Inventor's Signature: *Claudio Boffito* Date: 4/15/2003

Full name of SECOND inventor: Antonio SCHIABEL

Citizenship: Italy Mailing Address: 20024 GARBAGNATE MILANESE (MI)

Via Cascina Siolo No. 9 Italy

Residence (if different): \_\_\_\_\_

Inventor's Signature: *Schiabel Antonio* Date: 4/15/2003

Full name of THIRD inventor: Allessandro GALLITOGNOTTA

Citizenship: Italy Mailing Address: 21040 ORIGGIO (MI) Via Marconi No. 52

Italy

Residence (if different): \_\_\_\_\_

Inventor's Signature: *Allessandro Gallitognotta* Date: 4/15/2003

**REISSUE APPLICATION DECLARATION BY THE INVENTORS**

**PART B: CLAIM TO PRIORITY OF FOREIGN APPLICATION(S) UNDER 35 U.S.C. 119(a-d) and (f) §172, or §365(a)-(b)**

<u>Country</u>	<u>App. No.</u>	<u>Filing Date</u>	<u>Priority Not Claimed</u>
Italy	MI92 A 1416	June 8, 1992	<input type="checkbox"/>





## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 7, 2008  
Date

Signature

Ana Molina

Typed or printed name of person signing Certificate

Registration Number, if applicable

650-293-3350

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.